

ROBERT LAMANUZZI, SBN 213673
Attorney at Law
1330 L Street, Suite D
Fresno, CA 93721
(559) 492-0009

UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA,

Plaintiff,

v.

DAVID GARCIA,

Defendant.

Case No. 1:22-cr-00308-ADA-BAM

**STIPULATION AND ORDER TO
CONTINUE CHANGE OF PLEA**

IT IS HEREBY STIPULATED by and between the parties hereto through their respective counsel, ROBERT LAMANUZZI, attorney for Defendant DAVID GARCIA and KIMBERLY A. SANCHEZ, Assistant U.S. Attorney for Plaintiff, that the hearing currently scheduled for November 13, 2023, at 8:30 a.m. shall be continued until January 22, 2023, at 8:30 a.m.

1. Mr. Garcia is detained in Kern County (Lerdo).
2. Defense attorneys have very limited time slots to interview clients housed at Lerdo.
3. In September 2023, Defense Counsel scheduled a meeting with Mr. Garcia to go over the proposed plea agreement in detail.
4. Said meeting had to be rescheduled two times. Once for technical issues and the other due to court appearance obligations.
5. Defense Counsel finally conducted a meeting with Mr. Garcia on October 26th, 2023. Mr. Garcia had several new questions about his potential plea.
6. Defense Counsel had another meeting with Mr. Garcia on November 7th, 2023. Mr.

1 Garcia still has an unresolved issue with his plea that needs to be discussed with the
2 Government.

3 The parties stipulate that the time until the next hearing should be excluded from the
4 calculation of time under the Speedy Trial Act. The parties stipulate that the ends of justice are
5 served by the court excluding such time, so that counsel for the defendant may have reasonable
6 time necessary for effective preparation, taking into account the exercise of due diligence. 18
7 U.S.C. §3161(h)(7)(B)(iv). The parties stipulate and agree that the interests of justice are served
8 by granting this continuance and outweigh the best interests of the public and the defendant in a
9 speedy trial. 18 U.S.C. §3161(h)(7)(A).

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11 Dated: November 7, 2023

Respectfully submitted,

12 /s/Robert C. Lamanuzzi

13 ROBERT LAMANUZZI
14 Attorney for Defendant,
15 DAVID GARCIA

16 Dated: November 7, 2023

Respectfully submitted,

17 /s/Kimberly A. Sanchez

18 KIMBERLY A. SANCHEZ
19 Assistant U.S. Attorney

20 **ORDER**

21 The sentencing hearing as to the above-named defendant currently scheduled for November
22 13,2023, at 8:30 a.m., is continued until January 22,2023, at 8:30 a.m.

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25 IT IS SO ORDERED.

26 Dated: November 9, 2023

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28 UNITED STATES DISTRICT JUDGE

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